

5761

England's Warning Piece;

Shewing *the supreme and indispensable Authority* of the *Laws* of GOD; and the *Impiety*, and *fatal Consequences* of *screening*, and *abetting* MURDER.

A
S E R M O N

Occasioned by the untimely Death of

Mr. WILLIAM ALLEN

The YOUNGER,

Who was most inhumanly Murdered *near his Father's House*, by an *arbitrary military* POWER, on *Tuesday*, the 10th of *May*, 1768.

Preached at the *Request* of his Friends, in the Parish Church of *Newington-Butts*, and *published* in Compliance with the *Demand* of the Publick.

By JOHN FREE, D.D.

The THIRD EDITION.

Look to yourselves, and consider of it; who knows but this may come to be your own Case.

Seneca of Cruelty.

L O N D O N :

Printed for the AUTHOR, and Sold by W. BINGLEY, opposite *Durham-Yard* in the *Strand*; and Mrs. SHEPHERD, at the End of *Horsmanger-Lane*, *Southwark*, where the Murder was committed.

[Price ONE SHILLING.]





T O

Mr. WILLIAM ALLEN,

FATHER of the DECEASED.

SIR,

YOUR particular Request, and the constant Demand of the Publick, have at length inclined me to consent to the Printing of this Sermon; seeing that the armed Force is now removed, which, by the strange Use, that was lately made of it, put us all without Distinction in * Danger of our Lives. I do not find, however,

* By Description, the Face of Things in *Blackman-Street*, on the 10th of *May* in the Afternoon, was like that of a Town taken by a foreign Enemy, and expecting *military* Execution: The *Shops* were all *shut* up, the People assaulted as they were entering their own Houses, driven about like Sheep, and made the *Sport* of such infamous Wretches as the common Souldiers, who had the Insolence to present their Pieces at those who from their upper Chambers looked out into the Street. How would the *Londoners* have liked such Treatment? And yet it is evident, that the Townsmen and House-keepers of *Blackman-Street* were never in

D E D I C A T I O N.

ever, as yet, any among the Great, so sensible of our Case, as to be willing to patronize it publicly, and procure us Redress: and therefore, as you are so deeply and tenderly interested in the SUBJECT, the DEDICATION, I think, of Right belongs to You. Not that I intend from hence, after the Manner of DEDICATORS, to apply to your *Passions*; or make your *Wounds bleed afresh*, by dwelling upon your Misfortunes; but rather to take Occasion, from such an Opportunity offered, to *console*, and *fortify* you in bearing up under an *Evil*, which, with *Respect to Yourself*, is now past a Remedy; and to teach you an *Acquiescence* under the Dispensations of PROVIDENCE; not upon the tyrannick, and inhuman Hypothesis---“*That whatever is, is Right*,” but from a better and wiser NOTION---That whatever is now *wrong*, will one Time or other be set to *rights*. I do not know, whether my *Religion* be suited to the Taste of these *enthusiastick* Times; but it is a Religion between God and myself, and a Religion likely to last longer than any of modern Invention. I believe in GOD, and see the *Disorders* now subsisting in the World; but I do not charge these

any Riot, or had any more Concern with the People in *St. George's Fields*, than the Citizens and House-keepers in *Cheapside*. As for the *great Road* and *Newington Causeway*, it was so dangerous, that beside the Death of the People in and near the Hay-Market, the Balls penetrated the very Shutters of the Windows at a *great Distance* from the Place of *Action* in the *Fields*. Ought not Proclamation to have been made for the People to have left their Houses? and Notice given in the adjacent Villages, to have prevented the Inhabitants from coming Abroad, who knew nothing of the Mischief that was intended?

D E D I C A T I O N.

these Disorders upon HIM or his PROVIDENCE.—“ You have lost an only Son,”--- that you must have done by the Course of Nature.—But you will say,—— “ *It was by the Hands of Ruffians*, pretending Authority to slay the *Innocent*.”——No Doubt, these are *Calamities*, as *heavy*, as can be well imagined, and most grievously shocking to Human Nature--- but enlarge your View a little, and consider the present *Appearance* of Things, in *Conjunction* with *Futurity*, and you may find Occasion yet to *possess your Soul in Patience*. It happens in the *Course* of this World, that very *good* Men meet with very unfavourable and injurious Treatment, and very *bad* Men on the contrary with much of earthly Happiness. Of this our *Fellow-Creatures*, being in great Measure the *Instruments*, it really could not be expected, as far as they are concerned, that Things should proceed very regular and even: since Men were constituted *free* Creatures, and at Liberty to behave as the *Law* of God requires; or to violate it, if thro’ *Malignancy* of Heart they *choose* it.

But then you are to consider, with all this, that Men are *accountable* for their Actions, “ that God *judges the Earth* ;” that is, he discerns between the *Good* and *Evil* transacted in it, and determines the *former* to be worthy of a *Reward*, and the *latter* to deserve *Punishment*. And thence you are to infer, that as *Rewards* and *Punishments* in this *Life* are not always connected *immediately* with the respective *Obedience* or *Disobedience* of Men, that there must be a *future* State; which
assures

DEDICATION.

assures you of the *Immortality of your own Soul*;
and that in Consequence of a Life of Innocence
and Virtue here, you will be a joyful Spectator to
all Eternity, of the exact and punctual Dispen-
sations of God's *never-failing* and *unerring*
JUSTICE.

I am, Sir,

With all Compassion,

Your faithful, and

obedient Servant,

4 OC 58

Newington-Butts,
Oct. 15, 1768.

J. F.

Lately published by the AUTHOR, Price 1s.

The *Voluntary Exile*; or, the *English* POET'S SERMON in
VERSE, written upon divers *Important* SUBJECTS, before he
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ENGLAND'S

WARNING-PIECE, &c.

Leviticus, Chap. xxiv. 21 and 22 Verses—*He, that killeth a Man, he shall be put to Death.*

Ye shall have one Manner of Law, as well for the Stranger, as for one of your own Country: for I am the LORD your GOD.

THE LAWS of GOD, as delivered to us by his *Servant MOSES*, have been distinguished into *three Sorts, or Kinds*; and pass under the several Denominations of *Ecclesiastical, Moral, and Civil*.

The *Ecclesiastical LAWS* have Respect only to Matters in Religion, describing the *Nature and Attributes* of God, and the *general SERVICE*, which he challenges as Creator and Governor, from all Mankind; or the *particular SERVICE*, which was to be rendered him by his peculiar People, according to the *Ceremonies* of the *Jewish Church*.

The *Moral LAWS* prescribe *Rules* for a Man's *private Conduct*; as a *Moral Agent*.

But the *Civil*, beside the *moral Ends and Purposes* of *Individuals*, have also the *Community* for their OBJECT; and inform a Man, how he is to conduct himself as a *Citizen*, or a *Subject* of a *Common-wealth*.

Now these Precepts, which I have here read, are of a *Civil Nature*, and instruct us how we are to behave

as *Members of a Community*, in Cases of *Injury* to our NEIGHBOUR ; whether that *Injury* relate to his *Property* or his *Person*.—For the Passage more at large is to this Effect.

Breach for Breach, Eye for Eye, Tooth for Tooth: as he caused a Blemish in a Man, so shall it be done to him again. He that killeth a Beast, shall restore it, and he that killeth a Man, shall be put to Death. Ye shall have one Manner of Law, as well for the Stranger, as for one of your own Country; for I am the Lord your God.

Assist us therefore, ALMIGHTY GOD! that with all due Attention we may acquire in the first Place a proper Notion of thy *immense Authority*, and how far it exceeds that of *human Lawgivers*; and then we shall be able more clearly to discover and duly consider the high *Impiety*, and *fatal Consequences* of *screening* or *abetting* Murder.

But *first*, as the *Almighty* here urges his *Authority*, as the *Cause*, that challenges *Obedience* to this Law; *Do it—For I am the Lord thy God*—Let us consider with Fear and Trembling the Extent of his *Authority*, and how far it exceeds that of *human Lawgivers*.

The *Authority* of God then, as the supreme Lawgiver, being founded upon two of his *Attributes*; his infinite unerring *Wisdom*, in discerning always what is fittest to be done, on the one Hand; and his infinite, and irresistible *Power*, always ready to command *Obedience* to his *Ordinances*, on the other: it comes to pass from hence, that every *Human Law* must either be taken *directly* from the *Laws* of God; or else be so strictly subordinate, and conformable to his *Laws*, as not to carry with it the least Appearance of *Opposition* to the same. For if that were possible, there might be *Laws of Human Invention*, which might oppose themselves to the *Will of God*, which Attempt we shall find by the Sequel to be not

only impious with Respect to God, but unwarrantable, and impracticable, with Respect to Man.

1st, Because they are only such Laws, as are conformable to the Will of *God*, that can give a Magistrate a *Right* to command Obedience.

2dly, Because they are only such, that can be useful to *Society*: and therefore,

3dly, Only such, that will be *submitted* to by the Bulk of Mankind, without *Rebellion*, or *Resistance*.

The first Demonstration then of God's Superiority as a Lawgiver is evident from hence, that none but such Laws as are conformable to his Will can empower an human Magistrate to require, or command, Obedience. For all human Powers become Powers, and derive their whole Force from conforming themselves in their Conduct to the Will of God. Every Act of theirs, which is opposed to God's Ordinances, is in itself null and void. And if the whole Administration of any Power be only a Repetition of such Acts, then that Power ceases of Course to be a *Legislature*: The whole Series of Government from the Beginning having been illegal, in being a Power opposing itself to the Ordinances of God, and by Consequence no Power at all, since the Powers, that be, must be ordained by him, and as such must conform to his Ordinances in every Act of their Jurisdiction. If any one think that this Conclusion is not fairly collected, let him consider upon this Occasion the Nature of God's Supremacy.

For as he is the *supreme* Being, and the *Center* of all *Power*, the Power of making Laws and of governing by them must be originally and independently in him alone. Nothing under God can pretend to that Power independent of him. For the Independence of any Power necessarily supposes Supremacy. As the Supremacy of God therefore gives to him alone the original and independent Power of making Laws, so it makes it a Property to his Laws, that

his and only his exclude all Possibility of Doubt and Hesitation about the Obedience, which we are to render them.

Because there is no *Will* above his, which we can offend, or *Power* above his, which we need to fear. His *absolute Dominion* removes every *Doubt* about his Authority. All Hesitation on that Head arising from a Fear of Offense to a Person more powerful than him, whom we are ordered to obey, and whose Displeasure may for that Reason bring a greater Inconvenience upon ourselves. As therefore there is none more *powerful* than God, an immediate Obedience to his Laws is necessarily and inexcusably due upon all Occasions; which Thing is a great Intrenchment upon *human Power*, and lays us under a continual *Necessity* of examining *human Injunctions* by the *Rule* of God's Ordinances, in Order to see that they do not *clash* with them.

For as *Man* is so infinitely inferior to *God*, Laws prescribed by any of human Race are as different in their Obligation from those prescribed by God, as a *Creature* is different from its *Creator*. It is of the Nature of *Human Laws* therefore, by whomsoever they shall be enacted, that they cannot of Authority command Obedience, till they appear upon the Case to be *agreeable* to God's Ordinances. Whereas Laws which are conformable to the Will of God would be obeyed *voluntarily*, without any *Command* of a *Magistrate*, for the sole Reason of their *Use*, and Excellence.

II. Which leads me to *another Reason* why all *human Laws* must be conformable to the *Will* of God, from the Consideration that only such *can be beneficial* to Mankind.

For if we are sensible that the *Laws* of God, as far as they are discerned by us, do all of them center in the Happiness of Man, both of Individuals and of whole Societies, it is a natural Consequence, that
whatever

whatever Injunctions oppose those Laws, must oppose at the same Time human Happiness.

This Truth perhaps may strike and affect us more strongly if we illustrate it by particular Instances. For Example, let us imagine that natural *Equity* and *Justice* one of the *primary or principal Laws* of God should be violated for the Sake of some opposite human Law, and you will soon see in what Degree that human Law will be detrimental. For natural Justice and Equity having Regard to the Reason and Fitness of Things, and distributing to every one, what his Circumstances in impartial Right require, the Law which goes about to reverse it, must overturn all Fitness, oppose all Reason, and take from every one what his Condition and Circumstances by impartial Right require. Suppose the Decemviri at *Rome*, or the whole *Roman* Senate, or the Council of *five Hundred* at *Athens*, under the Pretence of quelling a Riot had signed a Decree to draw out a Party of their Forces, Mercenaries, which the People paid and fed for their own Defence, and place them in such Manner that they should, under the Pretext of the Riot, privately shoot at and destroy a Number of their *innocent Subjects* passing at a *Distance* in the *publick Ways* upon their own peaceable Concerns, and not *suspecting Danger*.

Suppose, That *after* the *Slaughter*, they should exult publickly in a weak and cowardly Manner upon the Death of these innocent, unarmed, unsuspecting People, as though they had defeated the Army of a foreign Enemy, publickly thank their military Executioners for their bloody Service, tell them, That they had done their Duty, and that they highly approved of their Conduct; encourage them further to do their Work of Blood with Alacrity, promising them all the Protection against the Laws, which their Office could afford them, if such Protection should ever be wanted upon a like Occasion.—

Could

Could Ordinances and Injunctions like these be *beneficial* to Society, or could any one pretend to deny, but that by conforming to them all *outward Order* must be destroyed, and all *inward Peace* disturbed? For what makes the Mind of Man easy is, that he sees his Affairs run in the right Channel, and that he is dealt with in the Manner, that he might reasonably expect to be dealt with: as on the contrary if any Thing reverse the equitable Distribution of Things, by causing Misery, it as necessarily causes Anxiety and Discontent, as Justice produces Peace and Harmony.

Further we are to observe, that when *outward Order* is destroyed by *Cruelty*, and the *inward Peace* of Men's Minds disturbed, Civil Troubles and Commotions must by Degrees ensue. For Peace and Security are the End and Aim of all human Labour; we keep our Lives for their Enjoyment, and hazard them for their Purchase. As Men are thus spirited and informed by Nature, we may imagine that they will be very much alarmed under the Apprehension of such Rules or Orders, as threaten their natural Peace and Security, and thereby destroy their Happiness.

It will appear, therefore, in the third Place, that such *Laws* or *Orders* as are *not conformable* to the *Will* of God, by being of *no Use* or *Benefit*, but really hurtful to Mankind, will be attended with this other Inconvenience, that they will rarely be received or obeyed with Quietness.

For publick *Discontent* and Trouble soon pass into open Opposition. In such Cases, it is generally, only a Defect of the Means of Resistance, or the Power of helping themselves, which can keep People in Subjection, supposing that those, who are thus oppressed and irritated, are barely permitted but to live. Human Resentment, when continually kept awake, will be contriving all the Means, and observing every Opportunity, to resist an unjust and tyrannick Injunction.

junction. Similitude of Misfortunes soon forms and fixes an Alliance. Alliances multiply in an interesting Cause. And as Strength increases, *Accidents*, when carefully watched, are seldom wanting to furnish an Opportunity for open and avowed Resistance, to which Men are encouraged by that other Consideration, that the Law, which opposes their *Happiness*, is likewise opposite to the *Laws of God*, and therefore at the same Time that it would injure them, in case it were obeyed, it has really no Right to command their Obedience. Strong Motives for them to disobey! when beside their temporal Interest, other Reflexions at the same Time naturally present themselves, and give a religious Sanction to their Cause; as that they are to obey God rather than Man, and regard him in the first Place, who is the *supreme Lawgiver*, and far more dreadful in his Punishments than *earthly Tyranny* in all its *Terrors*.

Having thus considered the *immense Authority of God*, as the *supreme LEGISLATOR*, and how far it exceeds that of *human LAWGIVERS*, namely, as far as *Infinite* excels *Finite*, we shall be able readily to determine, whether any human Power can have a Right to oppose or dispense with his Laws; particularly that, which is so clearly and expressly declared in the *Text*, and which makes the Foundation of human Safety in Society.—*He that killeth a Man, shall be put to Death*; in Support of which I am now to shew the *Impiety* and fatal *Consequences* of screening and abetting *Murder*.

In the *first Place* then, any *Opposition* to this Law would be the highest *Impiety*. For as the Command is so very *express* and *clear*, it would be flying in the Face of God Almighty to disobey it. And therefore those, who are concerned in such an Attempt, let them be of what Rank and Condition they will, can expect nothing but God's Vengeance in this Life, and the insupportable Terrors of that, which is to come. But
beside

beside the *Impiety* of this Attempt and consequent Vengeance of God Almighty, there are other Arguments drawn from the *Injustice* of slaying the Innocent, and the Danger arising from such horrid Crimes, not only to *Individuals* therein concerned, but even to *Governors* themselves in their publick Capacity, as render it quite impracticable by the *Law of Nature*, and all the *Rules of just Policy*, that this divine Injunction should ever be repealed, or laid aside.

For first, by the *Laws of Nature*, every Man has a Right to Safety in his *Person, Effects*, and other *Circumstances*; unless that Right be somehow forfeited by *Misdemeanor*. And therefore in *civilized Society* Men are always considered in this View, and are protected in the Enjoyment of these Privileges by the *civil Magistrate*. If that Magistrate acts in his true and proper Character, he watches over the Safety of the People, and should resist, repulse, or punish those, who hurt the Subject. For imagine only these *civil* Restraints removed, and a *military* armed Force let loose upon the Defenceless and Innocent; and what *Devastation, Rapine, and Bloodshed*, what *Affliction, and Misery* in every Shape, and on every Side, must overwhelm Mankind? To fall prostrate before these *Savages*, is to invite them to the Spoil, and encourage them to such *Acts* of Violence as must end in the *Destruction of Society*, by banishing from among Men their Safety and their Peace.

It appears then, that in all Countries some Men ought to be *Opposers* of Injuries by *exacting Blood for Blood*: and throughout the known World, where Societies are formed, some Men are really set apart for that Purpose. It may be observed in different *States* and *Nations*, that these are not always People of exactly the same *Quality, or Denomination*. And for this there is good Reason; because those *Circumstances* are to be regulated from Time to Time according to the *original Compact* of the State, the *great Charter*, which binds them in Society, and according to the various Circum-

Circumstances, under which, the Common-wealth at different Seasons may subsist.

The Right of *opposing Injuries and of slaying a Murderer*, is originally to be sure in every *Individual* who is formed by *Nature* to *defend* himself. But upon uniting in Society, Men so far *transfer* this Right to those, they call their *Governors*, as to exercise it no more themselves, except in Cases, where the *Governor's* Power *wilfully* fails, or is *accidentally* not at Hand to assist them. *Rulers* then, whether they be few or many, or by whatsoever Titles they may be distinguished, are, by their Office constituted, and *for this End hold their Authority*, to be a *Terror to Murderers*, and those, *who do Violence*, and to defend the *natural* Rights and Privileges of their People. There is by Nature a tacit Compact of this kind between *Magistrates* and *People*: and in most Places an express Engagement confirmed by solemn *Oaths*, and *Obligations* on both Sides. In Forms of Government so circumstanced, if the *Governor* fail to act the Part assigned him, The *Condition* of the Obligation on the Part of the People is void *ipso Facto*: for by losing the Character of *Protector*, he *abdicates* the *Right* and *Title* of a Prince.

So that the Neglect to *punish Murderers* appears to be *destructive* to PRINCES themselves; as it may, and has sometimes proved a Means of depriving them of their *Authority*, at other Times of losing the *Affections* of their People, and drawing a long Train of Misfortunes upon their own * *Posterity*. Certain it is, that it has been a Means to deprive them of their *Authority*. Since we find that Sovereigns are by their Office required as far as the State can enable them to ward off Injuries; and therefore in Case of

C

Neglect

* This has been observed of the *Posterity* of *James* the First, whose Favourite *Carr*, was one of the Murderers of *Sir Thomas Overbury*. See more of this Affair, and the Character of the said *James*, in a Poem of the *Author's*, entitled, the *Voluntary Exile*, sold by Mr. *Bingley*.

Neglect the People have imagined, that they may resume this *delegated* Power of *resisting Injuries*, and execute it for themselves.

Nor is this the only *Case* wherein the bad Conduct of Princes has furnished the People with a Plea for taking the Reins of Government into their own Hands. For supposing the *supreme* Magistrate (which is natural enough upon forsaking his own Subjects) to league with the *Enemy*; or upon his own Motion, or Choice, to grow *injurious*; the People have then taken upon them to *resist* that *Magistrate*.

“ For, say they, if those very *Persons*, who are im-
 “ powered and appointed for the *Defense* of the
 “ Society, turn their *AUTHORITY* and *POWER*
 “ *against it*, and instead of suppressing, commit In-
 “ juries, they are certainly to be reputed *publick*
 “ Enemies. For a *publick* Enemy could do nothing
 “ worse. The Power of resisting Injuries therefore
 “ must in such a Case immediately change Place ;
 “ since for the *Preservation* of *Society*, it must subsist
 “ *somewhere* : and as the same *Person* cannot at the same
 “ Time be both *Offender* and the *Punisher* of his own
 “ Offenses ; it revolves then back to those, who gave
 “ it, and in Regard it is to be employed against such
 “ as do Injuries, it will bear hard upon those, who
 “ are really found in that *Character*, without Respect
 “ had to any *nominal* Distinction.” This is very
 evident, from the History of CHARLES the First, who
 tho’ a KING by *Title*, was *formally* arraigned for
 countenancing the *Murder* of his SUBJECTS, and
 executed accordingly as a Criminal. From a Per-
 suasion that the Laws were equally a *Rule* of Action
 for the Subject, and the Prince ; consequently, that if
 Princes broke the Laws, they must suffer the
 Penalties like other Men.

So dangerous is it for PRINCES to think, that they
 have a *Right* of dispensing with, or opposing the
 sovereign *Laws* of Almighty God.

And the Deception has been quite as fatal to such, as have made themselves their *Tools* or *Advocates*.

Those, who will take the Trouble of consulting our *antient* Histories, which if duly attended to, contain Treasures of useful Knowledge both for the *Subject*, and the *Prince*, will find these Wretches, I mean the Advocates for bloody, and despotick Measures, notwithstanding their high Expectation of Reward, generally disappointed of their Hopes, treated for the most Part as the Pests of Society, followed by the Execration of the People, or extinguished by a violent Death.

If the Time or Place would permit, many *Examples* of this Sort might be produced; especially in the Reigns of our weak, and obstinate, or ignorant, and unexperienced * *Kings*.

But as Events, which are nearest to us, are generally apt to strike and affect us most; I shall content myself in this Particular, with a short Review of the Reign of *James* the Second. This Prince, deluded by *Sophistry* of his *Lawyers*, and his *Court*, affected to

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call

* In the Reign of *Edward* II. the ridiculous Fondness, which that Monarch expressed for *Gaveston*, created innumerable Disputes. At length the *Barons* had Recourse to Arms, and *Gaveston* was beheaded. After that, *Spenser* the Father was, without a Trial, hanged and quartered; and his Son executed on a Gallows 50 Feet high.

In the Reign of *Richard* II. we may observe the Fate of the great *Lawyers*, who entered into a Conspiracy with the KING against the LAWS; and set themselves to invent new *Articles* of Treason, or *Precedents* of Outlawry, which might take off, or disable the popular LORDS. Judge BELKNAP, Chief Justice of the Common Pleas, foresaw the Danger of the Enterprize, and therefore entered very unwillingly into the Royal PLOT. "There wants, says he, but an Hurdle, an Horse, and an Halter, to carry me to the Death I deserve." His Accomplices are recorded to have shared the End, he expected. For at the Meeting of the Parliament, they were seized, as they sat in Judgment, and Tresilian, Lord Chief Justice of the King's Bench, being brought before the Parliament, in the Morning, was ordered to be drawn to Tyburn, in the Afternoon, and executed in an extraordinary Manner.

call the Laws of *England* his Laws; and therefore assumed a Power of * *dispensing* with them as he saw Occasion. The Consequence of which was, that he might do *just what he liked*, and indemnify his *Creature*, just as *he pleased*, let their Crimes and Villainies be as excessive as they would: yet after all these Expedients, could he rescue a † KIRK from publick Abhorrence? or prevent the Fate of JEFFERIES? Was he not even at last obliged to give Orders to *disband* his Troops ‡ without paying them, those Executioners of his *arbitrary* Power, whose Murders and Excesses drew an *Odium* upon the more generous Part of the Souldiery, and made the Name of a *standing Army* so odious to the *English*, that they afterwards voted King *William* no more than *seven thousand Men*, to which they added, that they should be all the "*King's natural born Subjects?*" which was not at all a wonder; the Bulk of the Nation out of the Influence of the Court always esteeming our *Militia* or *trained Bands* as our natural, permanent, and *constitutional* Defense, and considering the *standing Forces* in *Times of Peace*, as no other than a *Band* of Mercenary Slaves, whose *Trade was Death*, and who having then no foreign Enemy to find them Employment, must either be paid for their *Idleness*, or exercise their *violent* Calling.

* "It was said (says Bishop Burnet) in Favour of the *Prerogative*, that the Government of *England* was *entirely in the King*; that the Crown was an *Imperial Crown*, the Importance of which was, that it was *absolute*; all penal Laws were Powers lodged in the Crown, to enable the King to force the Execution of the Law, but were no Bars to limit or bind up the King's Power; the King could pardon all Offenses against Law, and forgive the Penalties; and why could he not as well *dispense* with them? Acts of Parliament had been often superseded; the *Judges* had sometimes given their Directions, in *Charges on Circuits*, to *enquire after some Acts of Parliament no more*."—&c. Vol. III. P. 74. Anno 1686.

† For a farther Account of KIRK, JEFFERIES, and JAMES II. see the Appendix to this Sermon; NOTE the *first*.

‡ "And the doing of this without paying them, was the letting so many armed Men loose upon the Nation," &c. P. 262.

Calling against those *very People*, who starve their Families to give them their Bread. Circumstances! at some Times so provoking, as to have forced the Subjects of this Country to put this formidable *Dilemma* to their Princes—*Disband* or *abdicate*; or else *disband* or *die*.

All these have been the Consequences of the crying Sin of *Murder*, and of opposing, upon that Head, the *Laws* of God, which plainly shews, beside the *Impiety* and unpardonable *Presumption* of such a *Crime*, the dreadful *temporal Evils* and Calamities, which attend upon *all Ranks* and Degrees of Men, who dare to be *Abettors* of the same.

Thus then I have finished the *two* POINTS of *Doctrine*, which I intended to establish from the Words of the Text, and shewn you in the 1st Place the *Supreme*, and *indispensable* Authority of the *Laws* of God; and 2dly, the high *Impiety* and *fatal Consequences* of *screening*, and *abetting Murder*, which of Course puts an End to the Doctrine of the Sermon.

Would to God, that I might pass over in *Silence* the *melancholy* Event, which has been the Occasion of it: but I am required to add a short Narrative of the Fact, and to tell you plainly, what the *Inhabitants* are already but too sensible of, that this Sermon owes its Origin to the late bloody Transactions in the Neighbourhood of *St. George's Fields*, where, beside the particular Loss we here lament, by the murderous *Arrangement* and *Position* of the Troops, so many other *innocent Persons were slain at a *Distance*, who had no manner of Connexion with the *Rioters*, but were passing on the *high Roads* to other Places, and intent upon their own Concerns: I therefore call this Position a *murderous Arrangement*, because, as the Souldiery are represented by the Papers to have taken Post with their *Backs* to the Prison *Wall*, these fatal Consequences were unavoidable, for their Shot in this
Situation

* See the hard Fate of some of them in *Appendix*, Note II.

Situation commanded all the Avenues across the Fields. Whereas, if the Troops had faced the *Wall*, with the *Rioters* between them and the *Wall*, the *Wall* would have received the Random Shot, and many of these Evils been *prevented*, which arose even from the *Manner, in which they took their Post*.

But the *Souldiers* concerned in the *Murder* of the *Deceased*, by what Authority I know not, *were off their Post*, and pursuing another Man across the Road into a Yard where there was a * *Cowhouse*; the *Deceased*, who had just parted from a Conversation which he had with his Mother, was going about his Father's Business, but seeing, as it is imagined, at that Instant, from his Father's House, the Motion in the Fields, went out into the high Road before the House, to inform himself farther; when observing the Man pursued, and the *Souldiers* following to go into the Yard above mentioned, he went after them by another Way nearer his Father's Premises to see the Event; by this Time the Man they had pursued had made his Escape, by shutting the Door of the *Cowhouse* against the *Souldiers*, who *coming in just as the Deceased entered by another Door*, would not inform themselves who he was, but with Oaths encouraged each other to shoot him upon the Spot. Thus fell, as the first bloody Victim to a new arbitrary Power in *England*, a valuable, sober, well-disposed young Creature, the Comfort of his Parents, the Delight of his Friends, and whose Life and Conversation were so remarkably harmless and inoffensive, that in this Particular he hath hardly left his Equal.

This Eagerness therefore to shed such innocent Blood, must give every thinking Man more Cause to suspect that the Command for using the Troops † *effectually* was very positive, from some Quarter or other, otherwise

* See Appendix at the End.

† The Expression in the Warrant of the Secretary of State, See Appendix, Note III.

otherwise the Offense of the Murderers would be still more insolent and presumptuous, if committed of their own Motion. It may be difficult perhaps at present to know precisely, who were their Accomplices, till by a Judicial or Parliamentary Enquiry, Matters shall be brought to Light. Something, however, may be gathered from the Style of the Warrant from the *Secretary of STATE* to the Justices of the Peace, previous to these Hostilities, and likewise from the Letter, which has lately appeared in Print from the *Secretary at WAR*. The *Contents* of which Letter are of a more extraordinary Nature and more alarming than any Act of Authority, that has been published in *England* since the fixing of our Constitution, at the *Revolution* under King *WILLIAM III*. A Proceeding still the stranger, as by that *Constitution* our *Mercenary Troops* are no * Part of our Government. They depend upon a *Vote* in Parliament, and may be *disbanded* every Year. Nay, our Ancestors at that Time were so jealous of these Instruments of *Tyranny*, that after the Battel of the *Boyne*, and the Reduction of *Ireland*, they even ordered back to *Holland* the † *Guards* of the King himself, giving him thereby

* See the Preamble to an Act for punishing Mutiny and Desertion, &c. Anno Oct. Georgii 3tia Regis.

The Words are "Whereas the raising or keeping a *standing Army* in these Kingdoms in Times of Peace is against Law," &c.

† The *Commons* having reduced the *Standing Army*, as was observed above, to so small a Number as seven thousand Men, and those all *English*, a new Attempt was made, on the Part of the Court, for keeping the *Dutch Guards* in *England*, but that was rejected, tho' the King sent a Message desiring it.

"In carrying these Points, many hard Things were said against the Court, and against the King himself. It was suggested, that he loved not the Nation; that he was on the Reserve with all *Englishmen*, and shewed no Confidence in them; but that as soon as the Session of Parliament was over, he went immediately to *Holland*, not to look after the Affairs of the States, which would have been more excusable---but to enjoy a lazy PRIVACY at Loo---where with a few Favourites he passed the Summer in a Way, that did not raise his Character."---BURNET's History of his own Times, Vol. IV. P. 329.

thereby to understand that the KING of *England* should have no other Guards than *the Affections of his People*, which was certainly the Way to make him more *careful not to lose them*; but now according to the true Spirit and Meaning of this Letter from the *Secretary at War*, delivered it seems by Way of ORDER, the Method of depending upon Affection is so much altered, that the *People may be murdered with their Affections*, and the *Mercenaries* who committed the *Murders* publicly applauded, and promised all Protection in the Deed. But does not this Promise annihilate or supersede the Laws? and if Language has any Meaning, inform us, that while we stand gazing unthinkingly one upon another, our Lives and Liberties are in Danger? that is, they depend upon another's Will, and that it is a Doubt, the Parole or Watch-word being given, whether we have really any longer a Place of Safety in our own Houses, or a Sanctuary to flee unto, if attacked in the very House of God?

It is to be hoped, however, and the whole Issue of the Thing seems at present to depend on that, that the Lords the *Judges* entertain better *Principles*, and *Principles* more agreeable to our *Constitution*, than the King's *Secretary at War*. Bred to all the Distinctions of *Right* and *Wrong*, and used to distribute Justice, they must know it to be a Law of the ALMIGHTY, that, *he that killeth a Man must be put to Death*, and that it will be very dangerous to others, as well as to themselves, to oppose *their Authority* to the *Authority and Laws of God*, who is the only LAW-GIVER, the only POTENTATE, *the King of Kings, and Lord of Lords*, to whom both they and we are to show our Submission, and by Obedience to his Commands to ascribe unto him, all Honour, Glory, and Dominion, which are his *Prerogative* for ever and ever.

THE ORDER OF THE A P P E N D I X.

NOTE I. A farther Account of KIRK and JEFFERIES, mentioned Page 12. of this Sermon, and the Weakness and Cruelty of JAMES II.

NOTE II. The Names of some of the Innocent People, who were killed on the 10th of May, 1768, in the great Road, or passing on the other Highways at a Distance; with an Account of the Speech of the Coroner, and the Conduct of the *Chance-Medley* Juries, from *Lloyd's Evening Post* of May 16; with short Remarks upon the same.

NOTE III. Some Observations on the Warrant signed *W—th*, addressed to *Daniel Ponton*, Esq; Chairman of the Session, and the rest of the Justices of Peace, of that Division of the County of *Surry*, previous to the Commission of Hostilities, said to come from the *Secretary* of STATE.

NOTE IV. The Letter of the *Secretary* at WAR, delivered in the Form of an ORDER, to the Detachment of the Third Regiment of Guards, printed in the *Gazetteer*, May 18, and other Papers. With Observations upon the same, from the publick Papers.

NOTE V. The *Coroner's* Inquisition, and the *Depositions* taken before him, relative to the Murder of Mr. ALLEN; likewise the *Affidavits* before the *Justices*, before they would grant a *Warrant* to apprehend the Murderers.

A P P E N D I X.

Note the First.

N U M B E R I.

*A farther Account of KIRK, mentioned Page 12.
of this Sermon.*

KIRK, who had commanded long in *Tangier*, was become so savage by the Neighbourhood of the *Moors* there, that some Days after the Battel he ordered several Prisoners to be hanged up at *Taunton*. It is probable that the Lady's Husband, who prostituted her Body to him to save her Husband's Life (related by *Pomfret* in his Poems) was one of those unhappy Sufferers. The Execution served only as an Entertainment for *Kirk* and his Company, who at every new Health hanged up a fresh Prisoner. And they were so brutal, that observing the shaking of the Legs of those they had hanged, it was said among them, that they were dancing; and upon that Mufick was called for. This was both so illegal, and so inhuman, that it might have been expected, that some Notice would have been taken of it; but *Kirk* was only chid for it. And it was said, that he *had a particular Order for some military Executions*: So that he could only be chid for the *Manner* of it.

NUM,

N U M B E R II.

A farther Account of Judge JEFFERIES, mentioned Page 12. of this Sermon; and of the Weakness and Cruelty of King James II.

BUT as if this had been nothing (says the Historian) *Jefferies* was sent the *Western* Circuit to try the Prisoners. His Behaviour was beyond any thing that ever was heard of in a civilized Nation. He was perpetually either drunk, or in a Rage, liker a Fury than the Zeal of a Judge. He required the Prisoners to plead guilty; and in that Case, he gave them some Hope of Favour, if they gave him no Trouble; otherwise he told them, that he would execute the Letter of the Law upon them, in its utmost Severity. This made many plead guilty, who had a great Defence in Law. But he shewed no Mercy. He ordered a great many to be hanged immediately, without allowing them a Minute's Time to say their Prayers, &c.

But that which brought all his Excesses to be imputed to the King himself, and to the Orders given by him, was, that the King had a particular Account of his Proceedings written to him every Day; and he took Pleasure to relate them in the Drawing-Room to Foreign Ministers, and at his Table called it *Jefferies's Campaign: speaking of all he had done in a Style*, that neither became the Majesty nor Mercifulness of a great Prince. *Dykeveld* was at that Time in *England*, one of the Ambassadors, whom the *States* had sent over to congratulate the King upon his coming to the Crown. He told me (says the Historian) that *the King talked so often of these Things*, in his Hearing, that he wondered to see him break out into those Indecencies. And upon *Jefferies* coming back, he was created a Baron and a

Peer of *England*; a Dignity, which though anciently some Judges were raised to it, yet in these later Ages, as there was no Example of it, so it was thought *inconsistent* with the *Character* of a Judge.

Vengeance however overtook him at the last. About the Time of his Master's Departure he was seized (as some say) in the Habit of a Sailor at *Wapping*, by People who knew him, and insulted with all the Scorn and Violence they could invent; and after many Hours *tossing him about*, when he was scarce alive, carried before the Lord Mayor, to be committed to the *Tower*, which the Lord *Lucas* had then seized, and in it declared for the Prince. The Mayor was so affected at the Sight of the Populace, and the abject Appearance of a Man that had made all People fly before him, (for *Mayors* at that Time *were not Privy-Counsellors*) that he fell into Fits, and died soon after of the Fright.

Note the Second.

A LIST of some of the Persons killed and wounded May 10, 1768, in St. George's Fields; printed to prevent the Publick from being imposed by the Falsehoods of the Court-Writers, one of whom had the Impudence lately to insinuate, that there was only one Person slain in St. George's Fields.

Mr. *William Redburn*, Weaver, shot through the Thigh, died in the *London Hospital*.

William Bridgeman, shot through the Breast, as he was sitting on a Hay Cart in the Hay-Market, died instantly.

Mary Jeffs, of *St. Saviour's*, who was selling Oranges, by the Hay-Market, died the same Day.

Mr.

Mr. *Boddington*, Baker, of *Coventry*, shot through the Thigh-Bone, died in *St. Thomas's Hospital*.

Mr. *Lawley*, a Farrier, died the 12th of *May*.

Margaret Walters, *Mint*, pregnant, died the 12th of *May*.

Mary Green, shot through the Right-Arm Bone, now remains in *St. Thomas's Hospital*, *October 20, 1768*.

Mr. *Nicholls*, shot through the Flesh of his Breast.

Mrs. *Egremont*, shot through her Garment under her Arms.

Mr. ———, in *Kent-Street*, stabb'd with a Bayonet in his Loins.

Mr. ———, unknown, stabb'd with a Bayonet.

I have seen a List containing the Names of many more Persons than these, which is at present mislaid; but that Loss will be compensated by a full and authentick Account of these Matters, which it is said will soon be published by an able Hand.

There was an Account of some of the Inquisitions taken upon the Death of these People, in the publick Papers, where we have the singular Speech of a *Coroner*, and a View of the *Qualifications*, *Honesty*, and *Understanding* of some of the *Jurors*, of which I shall give this short *Specimen*, as it stood in *Lloyd's Evening Post* of *May 16*.

“ The *Coroner*, in his summing up the Evidence to the Jury, observed, that every unhappy Case of this Kind, was attended with its particular Circumstances, which were to be the immediate Subjects of their Attention and Inquiry; that young *Allen's* Case was in no Manner to bias them, nor were they to regard any Reports; that they were to lay aside all popular Resentment or Prejudice; and to give a Verdict according to the Evidence, without any Fear, Favour, Affection, Hatred, or Ill-will; in doing which, they would act consistent with their Oaths, and discharge their Consciences.”

“ The

“The Jury, after some Time consulting, brought in their Verdict *Chance Medley*, in which they confirmed the Verdict of the Jury at *St. Saviour’s* Parish.”

I have two short *Remarks* to make upon this Narrative; the first with respect to the Speech of the *Coroner*, and the second with respect to the *Conduct* of some of the *Jurors*.

First, the *Coroner* tells them, that they *were not to regard any Reports*; certainly some Reports contribute to an Information. Is not the Account of every Evidence a *Report of the Case*?—And were these Reporters to be excluded?—Previous to this he says, “That young *Allen’s* Case was in no Manner to bias them.”—Why so? Because the Jury in that Case brought in their Verdict *Wilful Murder*.—Is not this then plainly directing the Jury, that in the Case *before them*, they were *not to bring it in Wilful Murder*?—Very well, Mr. *Coroner*, where had you been, before the Inquisition?

Now for the *Jury*—I hope they had a good Dinner;—but what did they do upon the Case?—Why, after consulting some Time, they brought in their Verdict *Chance Medley*; but if they possessed any Degree of common Honesty, or common Sense, I do not see how they could affirm, that what was done by *express Orders*, was done by *Chance*.—But it seems this was to countenance the Conduct of their Brethren of *St. Saviour’s*, who had done the same before.

Note the Third,

Relating to the Warrant of the Secretary of State, mentioned in the 12th and 13th Pages of this Sermon, which was signed W——th, and directed to Daniel Ponton, Esq; Chairman of the Session, and the rest of the Justices in the same Division of the County of Surry, previous to the actual Commission of Hostilities.

As a *free-born* Subject of *England*, I think that I have just Reason to make a Complaint to the Honourable House of Commons, concerning the Nature and Tendency of such a Warrant as this; and that I have a Right to explain to them the Grounds and Reasons which move me on the Behalf of myself and my Fellow-Subjects to offer, upon this Occasion, a short Petition for Redress; since I have been taught from my Infancy, to look upon that House as an immovable Barrier between the Privileges of the People, and the Power of the Crown, who by the Nature of their Institution, and the Laws of this Land, are constituted the Guardians of my Life and Liberty, and an Asylum for their Fellow-Subjects or Constituents, when under Oppression or Distress.

Relying, therefore, upon their Protection, and addressing myself *to them*, I beg leave to observe, with respect to the Nature of this Warrant, that it has all the Appearance of a *General Warrant* in its *Kind*; and that it has been so understood by some of those, to whom it was directed, I find by its Consequences, and the Manner in which they put it in Execution. For upon the *Trial* of Mr. *Guillam*, a Justice of the Peace, who was indicted for *Murder*,
committed

committed in *St. George's Fields*, Mr. *Derbyshire*, a Witness against him, testifies in open Court, That he, the said Mr. *Guillam*, declared, "*That he had Orders from the Ministry to fire upon the People.*"— "*And that there must be some Men killed, &c.*" Where it is to be observed, that he makes no *Distinction* of *Persons* or *Places*, saying only, *Some Men*.—But *some Men*, without *Distinction*, means *any Men*, or *any where*—so there be but *some*.

If these Things were done in Consequence of *this* Warrant, and *this* Warrant was so interpreted, are not here all the Marks of a *General Warrant*? And are not *General Warrants* for SLAUGHTER as *illegal* in this Country, (as they are more fatal to the *Subject*) as *General Warrants* affecting only their *Liberty* and *Property*?—*Liberty* may be regained—*Property* may be recovered;—but *Life* can never be restored again. This *Kind* of *General Warrants*, therefore, certainly demands the Attention of the *House of Commons*, as much as the other: And will no-body petition the *House* upon this important Occasion? That their *Lives* may no longer lie at the *Mercy* of another, or the *Mercy* of an *ORDER* from a Fellow-Subject.

For my Part, as this has thus the Appearance of a *General Warrant*, and might have affected *my Life*, or the *Life* of any the most *innocent Man* in *England*, that chanced to come unknowingly within the *Reach* of its *Execution*, which was *Military*, and never *proclaimed elsewhere* in a *publick* Manner, as *Military Executions* should be, (to give Strangers and Men of Business, whose Affairs might necessarily lead them that Way, Notice of the Danger) I think the People of *England* have a Right, by Means of their *Representatives*, to demand *Satisfaction* for the *Injury*, and such a Security for their *Lives* and *Persons* hereafter, as no Attempts of this Sort may ever endanger again. And, therefore, I put forth this as my *Petition and Information*, to the *Honourable House of Commons*, if they

they will please to take Notice of it, in Order to obtain an End so desirable; hoping that the *Honourable House* will pay a proper Attention to a Matter of such Importance: Since a *General Warrant* for SLAUGHTER might otherwise, one Time or other, according to the *Humour* of those, who are to execute it, affect the *Lives* of our *Representatives*, as well as our own.

For suppose a Justice of Peace should say, (as they are represented in Mr. *Guillam's* Trial) "*I have an Order from the Ministry to kill five-and-twenty Men,*" and the first Men, that came by, should be *Members of Parliament*, why, if the Justice did not like them, they might be dispatched; for the Warrant was general, "*to kill so many Men,*" and they, happening to be of the human Species, must consequently come within his Orders: Seeing, therefore, these Things in this Light, I must once more humbly petition the *Honourable House of Commons*, that they would be pleased to take these extraordinary Transactions into their most serious Consideration, and find a Remedy against such Evils for the future.

Note the Fourth.

NUMBER I. Taken from the publick Papers.

ORDERS. PAROLE is *Wandsworth*.

The Field Officer in waiting of the Foot-Guards received Yesterday the following Letter.

S I R,

— Office, May 11, 1768.

"HAVING this Day had the Honour of mentioning to the — the Behaviour of the Detachments from the several Battalions of Foot-Guards, which have been lately employed in assisting the Civil Magistrates and preserving the publick Peace, I have great Plea-

E

sure

sure in informing you, that his —— highly approves of the Conduct of both the Officers and Men, and means that his ——'s Approbation should be communicated to them through you. Employing the Troops on so disagreeable a Service, always gives me Pain; but the Circumstances of the Times makes it necessary. I am persuaded they see that Necessity, and will continue, as they have done, to perform their Duty with Alacrity. I beg you will be pleased to assure them, that every possible Regard shall be shewn to them; their Zeal and good Behaviour upon this Occasion deserve it; and in case any disagreeable Circumstance should happen in the Execution of their Duty, they shall have every Defence and Protection, that the Law can authorize, and this Office can give. I have the Honour to be, Sir,

Your most obedient, and most humble Servant,

B——.

Field-Officer in Staff waiting for the
three Regiments of Foot-Guards.

Officers for Guard on *Saturday* next,
Lieut. Col. Groyn, &c. &c."

N U M B E R II. *From the publick Papers.*

"AN Officer of the Guards, on whose Veracity I can rely, has informed me, that the S—— at W—— has thought proper to write a Letter of Thanks to the commanding Officer of the Troops lately employed in *St. George's Fields*. The Substance of it, as well as I can remember, is rather of an extraordinary Nature, and I think deserves the Attention and Consideration of the Publick. I understand that his L——p thanks them for their good Behaviour, and assures them that his —— *highly approves* of their Conduct. He farther engages his Promise, that

that whatever bad Consequences may ensue, they may depend upon the utmost Assistance and Support that his Office can afford them. Without entering into the Evidence, on which the Coroner's Verdict against an Officer and some Souldiers of the Guards was founded, I shall not scruple to say, that this Mention of the ——'s Name is very improper and indecent. The F—— of his People undoubtedly laments the fatal Necessity, which has occasioned the Murder of one of his Subjects, but cannot be supposed to *approve highly* of a Conduct, which has had dreadful Consequences. An Event of this shocking Nature may admit of Excuse and Mitigation from Circumstances of Necessity, but can never be the Object of the *highest Approbation*; —much less was it proper to signify such strong Approbation of a Conduct, which includes a Fact still *sub Judice*, and the Particulars of which are not yet known with any Degree of Certainty.

The S—— at W—— would have done better in confining his Letter to the Expression of his own Sentiments. What he has said for himself, if I am rightly informed, will require more Wit than he possesses to defend. For the mere Benefit of the Law, I presume, the Prisoners will hardly thank him. It is a Benefit they are entitled to, and will certainly have, whether he and his Office interfere or not. If he means any thing more, let him look to his Words. But I hold it to be highly unconstitutional as well as illegal, to promise official Support and Protection to either Party, in a criminal Case, wherein the King prosecutes for the Loss of his Subject. There is a Degree of Folly in a Minister of the Crown signing such a Letter, which looks like Infatuation; but I hope the Court of *King's Bench*, or some other Court, will let him know what the Law calls *Abetment* and *Maintenance*, and bring him to his Senses.

FIAT JUSTITIA."

N U M B E R III. *From the publick Papers.*

WHEN I said in my Letter Yesterday, that we were not yet under a Military Government, I little thought how near we were to it. I little expected to see an *Approbation given out in Orders*, of the Behaviour of the Foot-Guards, by which so many of the King's innocent, unarmed Subjects had been killed. Less still did I expect to see the *noble Secretary*, who communicated these Orders, of so sanguinary a Disposition as to acknowledge, "that he had great Pleasure in informing them of this Approbation." His Lordship was born and educated a Presbyterian; his Father was one of the chief Pillars of that Sect all his Life; and the Secretary, I am bold to say, would not have been taken into Employment, at the Time he was, if he had not been understood and believed to be a *Whig*. But is the Letter I refer to, in your Paper of Yesterday, consistent with Whiggish Principles? No; it is throughout diametrically opposite to them; except where he says, that "employing the Troops on so disagreeable a Service, always gives him Pain." This sounds, indeed, a little Whiggish; but he destroys the Merits of it, by adding, in the next Words, "that the Circumstances of the Times make it necessary." His Lordship must excuse me, who am not a Whig by Name, and a Tory by Employment, if I contradict him, and say, that the Circumstances of the Times did *not make it necessary*; that it was imprudent and unconstitutional to employ them on such a Service, and seems, to sober-minded People, to have been something worse. But I shall examine this extraordinary Letter of this ministerial Lord a little further. He desires the Troops may be "assured, that every possible Regard shall be shewn to them, and their Zeal and good Behaviour deserves it." One would think the Troops had been employed in sup-
pressing

pressing *another Rebellion of the Scots*, in favour of the House of STUART; instead of killing five or six *English* Subjects, Lovers of King George, unarmed, and assembled---supposing it imprudently---either in favour of Liberty, or out of mere Curiosity; and who, if they had not been irritated by such an armed Force, *contrary to the Constitution*, would have given no Disturbance. But I have not done yet with the Letter. The Troops are further to be assured, that “in case any disagreeable Circumstance should happen in the Execution of their Duty, they shall have every Defence and Protection that the Law can authorise, and this Office [the W-r-Office] can give.” Indeed, my Lord, shall they so? Neither you, as Secretary, nor your Office, nor the Troops, are Part of this Constitution: Your Office, and they, are voted from Year to Year; and if this Use is to be made of our Troops, both against the Letter and the Spirit of the Constitution, it is high Time they were discontinued, and voted *dangerous to the Subject, and destructive to our Liberties*. But of so little Value are the *Lives*, as well as the Liberties of the Subject, in the Eyes of this noble Lord, that the killing or wounding them by the Troops, hath no other Epithet bestowed upon it, than a “*disagreeable Circumstance*.” It is, indeed, a Circumstance so very disagreeable to the People of *England*, that his Lordship would do well, instead of “mentioning to the — the Behaviour of the Foot-Guards,” to mention to the — the *Dissatisfaction* that this Behaviour hath created in the Minds of the *best Subjects*, (which is much the greater, because the —’s Approbation is thus publickly avowed) and that if the same Behaviour on the same Occasion is continued, every good Man will dread the Consequences.

It may be some Kindness to the Troops to deceive them in the Assurances which the S—— at — hath given them. A Man who hath gone through

through so many Employments, and been so many Years in Parliament, one would think must know, that the Law does not authorize any Defence or Protection of the Troops that are employed in suppressing Riots, the very employing them in such a Service being against the Law. Did his Lordship mean then, that the Dispensers of the Law should *pervert and abuse* it for their Defence; and however strictly the Forms of Law were observed against the Assertors of Liberty, yet against the Oppressors of Liberty, by Force and Arms, by Bloodshed and Murder, the Forms should be relaxed; and where they could not be dispensed with, the Offences should be pardoned? Did his Lordship mean so? Why then, I would say, in our Military Terms of Command, "ENGLISHMEN, *Have a Care.*"

I have for some Years foreseen, and foretold the Publick, that this Nation is hastening a-pace to its Dissolution. Every Circumstance that hath contributed to such an Event, are all combined against us. There is no Need to recapitulate them; they are well enough known to all thinking People, and who are capable of learning from past Events recorded in History. If therefore our Ministers and Councillors of ——— had any publick Spirit, Capacity, or Integrity, instead of daring us to do our worst, as they seem to do, by the most tyrannical Abuse of Power against the Laws and Constitution, they would endeavour to conciliate the distracted Minds of the People, to unite the several Parties into which Favouritism has divided us, that all our great Men may co-operate in retrieving the publick Peace and Prosperity. If I was not convinced that Religion had entirely lost its Hold upon their Minds---an alarming Symptom of our Declension! I would recommend a Day of Fasting and Humiliation, to implore the Divine Mercy in averting those national Judgments, which too visibly hang over our Heads, and which we have but too justly and too manifestly deserved. But

But to talk to our great Men of Religion and Publick Spirit, and to our present M——s (such as are, strictly speaking so called) of Capacity and Integrity, is talking to them all in an unknown Language.

I shall just observe, before I conclude, that it being reported in some of the Papers, that the Lord Mayor had sent for a Party of Guards to do Duty at the Mansion-House; he was so justly sensible of the *Illegality of that Measure*, whatever may be thought of it at Court and the War-Office, that (you say in your Paper of To-day) he ordered the Publick to be assured, “that no Guards were sent for by him, and that he only called in the Civil Power to assist his own People in suppressing any Outrages which might be committed by the Mob.”

May 18.

AN ENGLISHMAN.”

Note the Fifth.

N U M B E R I.

Copy of the Coroner's Inquest taken on the Death of
WILLIAM ALLEN *the Younger.*

SURRY. AN Inquisition indented, taken for our Sovereign Lord the King, at the Parish of *St. Mary Newington*, in the County of *Surry*, the 11th Day of *May*, in the eighth Year of the Reign of our Sovereign Lord *George the Third*, now King of *Great-Britain*, &c. before *Harvey Acton*; Gentleman, one of the Coroners of our said Lord the King, of the County aforesaid, upon View of the Body of *William Allen* the Younger, then and there lying dead, by the Oath of *Thomas Maidman*, *William Weatherly*, *Samuel Barnes*, *Edward Cox*, *Thomas Symons*, *Henry Keene*, *Thomas Warrington*, *James Weston*, *Henry Brooks*, *Richard Dickman*, *Richard Morris*, *Christopher Reeves*, *George Parry*, *James Stone*, and *Henry Churchill*,

Churchill, good and lawful Men of the four next adjacent Villages to the Parish aforesaid, in the County aforesaid, who then and there being sworn, and charged to enquire for our said Lord the King, when, where, and in what Manner the said *William Allen* came by his Death, do say, That *Donald Mac-lane*, late of the Parish aforesaid, in the County aforesaid, Labourer, *Donald Maclaury*, late of the same Place, Labourer, and *Alexander Murray*, late of the same Place, Esq; not having the Fear of God before their Eyes, but being moved and seduced by the Instigation of the Devil, on the 10th Day of *May*, in the said eighth Year of the Reign of our Sovereign Lord *George* the Third, now King of *Great-Britain*, &c. with Force and Arms, at the Parish aforesaid, in the County aforesaid, in and upon *William Allen* the Younger, in the Peace of God, and our said Lord the King, then and there being, feloniously, wilfully, and of their Malice aforethought, did make an Assault, and that the said *Donald Mac-lane* a certain Musket, of the Value of Five Shillings, then and there charged with Gunpowder and one Leaden Bullet, which Musket, he, the said *Donald Mac-lane*, in both his Hands then and there had and held to, against, and upon the said *William Allen*, then and there feloniously, wilfully, and of his Malice aforethought, did shoot and discharge; and that the said *Donald Mac-lane*, with the Leaden Bullet aforesaid, out of the Musket aforesaid, then and there, by the Force of the Gunpowder, shot and sent forth, as aforesaid, the aforesaid *William Allen*, in and upon the Breast-Bone of him the said *William Allen*, and also in and upon the Collar-Bone of him the said *William Allen*, then and there with the Leaden Bullet aforesaid, out of the Musket aforesaid, by the said *Donald Mac-lane*, so as aforesaid, shot, discharged, and sent forth feloniously, wilfully, and of his Malice aforethought, did strike, penetrate,

penetrate, and wound, giving to him, the said *William Allen*, then and there, with the Leaden Bullet aforesaid, so as aforesaid, shot, discharged, and sent forth out of the Musket aforesaid, by the said *Donald Maclane*, in and upon the said Breast-Bone of him the said *William Allen*, and also in and upon the Collar-Bone of him the said *William Allen*, one mortal Wound of the Depth of six Inches, and in Width four Inches, of which said mortal Wound the aforesaid *William Allen* then, and there instantly died. And that the aforesaid *Donald Maclaury*, and *Alexander Murray*, then and there feloniously, wilfully, and of their Malice aforethought, were present, aiding, helping, abetting, comforting, assisting, and maintaining the said *Donald Maclane*, the Felony and Murder aforesaid, in Manner and Form aforesaid, to do and commit: And so the Jurors aforesaid, upon their Oath aforesaid, do say, That the said *Donald Maclane*, *Donald Maclaury*, and *Alexander Murray*, the said *William Allen*, then and there, in Manner and Form aforesaid, feloniously, wilfully, and of their Malice aforethought, did kill and murder, against the Peace of our said Lord the King, his Crown and Dignity: And the Jurors aforesaid, upon their Oath aforesaid, do further say, That the said *Donald Maclane*, *Donald Maclaury*, and *Alexander Murray*, at the Time of the Felony and Murder aforesaid, 'by them done and committed, or at any Time afterwards, had not, nor as yet have, any Goods, Chattels, Lands, or Tenements whatsoever, in the said County, or elsewhere, to the Knowledge of the said Jurors. In Testimony whereof, as well the said Coroner, as the said Jurors, to this Inquisition have set their Hands and Seals the Day and Year first above written.

SURRY, to wit. The Information of *Lemuel New-old*, of the Parish of *White-Chapel*, in the County
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of *Middlesex*, taken on Oath this 11th Day of *May*, 1768, touching the Death of *William Allen* the Younger, who says, That Yesterday, about Half an Hour after Eleven o'Clock, he was close to the Door of the *King's Bench* Prison, and saw a Gentleman pull down a Paper from the Wall, that had wrote on it *Wilkes and Liberty*, and he tore it to Pieces, and put some of it into his Pocket: The Gentleman then went into the second House beyond the Prison, at which Time Stones were thrown, and one of the Justices called the Souldiers from behind the *Bench*, and a Constable ordered me to get off, for the Souldiers were going to fire. He went away, and followed the Deceased from the Corner of the Alms-Houses, to the Corner of *Horsemonger-Lane*; heard a Gun fire, and was told, That a young Man was shot. He then returned to the Prison Walls, and saw a Justice of the Peace reading a Paper, which he was informed was the Riot Act. He further says, he heard the Officer say, *Run, and fire upon him*; but does not know who the Officer meant.

Sworn the 11th Day of
May, 1768, before me
 H. ACTON, Coroner.

The Mark of
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 LEMUEL NEWOLD.

SURRY, to wit. The Information of *Jacob Gilbert*, of the Parish of *St. Mary Newington*, Peruke-Maker, taken on Oath the 11th Day of *May*, 1768, touching the Death of *William Allen*, Junior, who says, He was standing at his Door about Eleven o'Clock Yesterday, and he saw the Deceased ride by on Horse-back; soon after he saw some Souldiers draw up before the *King's Bench*, and he saw a young Man in a red Waistcoat throw a Stone, and then run away; then the Officer and four or five Grenadiers follow-

followed after him, and as the Officer passed by this Deponent, he heard him say to the Souldiers, *Shoot.*

Sworn before me,

The Mark of

11th of *May*, 1768,

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H. ACTON, Coroner.

JACOB GILBERT.

SURRY, to wit. The Information of *Thorold Lowdell*, of the Parish of *St. George*, in this County, Surgeon, taken on Oath this 11th of *May*, 1768, touching the Death of *William Allen* the Younger, who says, That the Deceased died about Half after Twelve o'Clock Yesterday; and on examining the Body, found one large Wound, appearing to be a Gunshot-wound, penetrating the Thorax, and passing through, made its Exit behind the Shoulder. In its Way had broken the Breast-Bone, Collar-Bone, and Scapula, from which there had been an enormous Effusion of Blood, from the many principal Vessels that had been wounded. He makes no Doubt, but this Wound must be the Cause of instant Death. He had also in his Left Wrist a very large incised Wound, which had divided the Tendons, passing quite through the Wrist, and easily admitted three Fingers.

Sworn the 11th Day of

May, 1768, before me,

H. ACTON, Coroner.

THOROLD LOWDELL.

SURRY, to wit. The Information of *Nicholas Twayts*, of the Parish of *St. Mary Newington*, in this County, Servant, taken on Oath this 11th Day of *May*, 1768, touching the Death of *William Allen* the Younger, who says, That Yesterday, between the Hours of Eleven and One, he was standing by the Wall of the *King's Bench*, and saw a Man throw a Stone, which hit one of the Serjeants in the Face, on which the Officer ordered three Grenadiers to pursue that Man, which they did, and the Man ran through

the Crowd towards the Road, and across into *Horssemonger-Lane*, and so into the Cowhouse; and the Deceased ran after this Man into the Cowhouse. This Deponent then stood at the Rails opposite the Cowhouse Door, in *Horssemonger-Lane*, and saw a Souldier, whose Person he knows, who said to the Deceased, *You are the Man we are looking after.—Damn your Eyes, I have a good Mind to shoot you.* Another Souldier behind him says, *Aye, do shoot him;* and he fired directly. The Deceased cried *Oh!* staggered out of the Cowhouse over the Way under the Rails, and said to a Woman, *I am a dead Man;* she replied, *I hope not;* but the Deceased fell just within the Room, and died immediately.

Sworn the 11th of May,

1768, before me,

H. ACTON, Coroner.

NICHOLAS TWAYTS.

SURRY, to wit. The further Information of *Nicholas Twayts*. That *Donald Maclane* is the Man who fired off the Musket, and killed the Deceased: That *Peter Mac-Laughlan* did not shoot, nor did he hear him say any-thing: That *Donald Maclaury* was the Man who said to *Donald Maclane*, *Do shoot him.* The above this Deponent maketh Oath of, on having seen the above three Men.

Sworn the same Day.

NICHOLAS TWAYTS.

SURRY, to wit. The Information of *Thomas Brawn*, of the Parish of *St. George Southwark*, Labourer, taken on Oath this 11th of May, 1768, touching the Death of *William Allen* the Younger, who says, That upon the 10th Instant, about three Minutes before Twelve o'Clock at Noon, five Souldiers, with an Officer, knocked at Mr. *Henshaw's* Gates, running after one of Mr. *Henshaw's* Servants, and the Officer opened the Gate and went in, and
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the Officer and two of the Souldiers went through the Cowhouse, into the Back-Yard, and *he* followed the third Man into the Cowhouse; and the said third Man stopt *him*, and when *he* turned about, he saw Mr. *Allen* come in at the Back-Door, in *Horse-monger-Lane*; and the third Souldier turned about and said to the Deceased, *Damn you, you are the Man I was looking for, I'll shoot you*; the second Souldier said to the third, *Damn your Eyes, shoot him*; and the third Souldier instantly fired at him, at within the Distance of ten Yards. On this *he* went into the Yard where the Officer was, and *he* said to him, *Sir, one of your Men has shot the Son of Mr. Allen*; and the Officer said to the Souldiers, *Damn you, who fired?* The Man that fired, replied, *That his Gun went off at half Cock*; and *he* said, *Damn you, you lie, you shot him; I saw you level the Piece*; and he desired the Officer, if he disputed the Truth of what *he* said, to order every Man to draw his Charge, and then he would see who it was shot at him; the Officer answered *No*, and ordered the Souldiers to follow him out, and they went away.

The Mark of
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THOMAS BRAWN.

THE Information of *John Blest*, of the Parish of *St. Mary Newington*, in this County, Gentleman, taken on Oath this 11th Day of *May*, 1768, touching the Death of *William Allen* the Younger, who says, That Yesterday Morning he was standing at the *King's Bench Wall*, and he saw many People throwing Stones, and a Company of Souldiers drawn up together three a-breast; and there was Mr. Justice *Ponton*, Mr. Justice *Guillam*, just before them, with the commanding Officer by them, the Populace throwing Stones or Dirt; some lit on Mr. *Guillam's*

lam's Head, and Mr. *Guillam* and Mr. *Ponton*, and the Officer, said to the Souldiers, *Fire!* The Souldiers levelled their Muskets, but did not fire: A Person in a red Waistcoat crying out, *Liberty and Wilkes for ever*, the Captain (who *he* since understands, and believes, was Captain *Murray*, of the Third Regiment of Foot-Guards) ran forward, and says to the Souldiers, *Pursue them!* which they did, either three or five, this Deponent is not certain which. One or two of the Souldiers pursued that Person through the Hay-Market with the Captain; about eight or ten Yards before them *he* ran into the Cowhouse to see the Event, and two Grenadier Souldiers were behind him; the Souldier next *him* presented his Piece at this Deponent, *he* cried out to him, *What are you going about?* The Souldier cried out, *Ho!* and passed by *him*. *He* followed them into the Cowhouse, the last Man of the two Grenadiers turned about and levelled his Piece and fired, and he saw the Deceased stagger and cry *Oh!* with a Groan, and staggered cross *Horse-monger-Lane*, and then fell and expired in a Doorway opposite where he was shot. This Deponent further saith, that he had been standing in the Crowd an Hour and Half, and never heard the Riot Act read, and believes it was not read.

JOHN BLEST.

SURRY. The Information of *John Okins*, Son of *Thomas Okins*, of the Parish of *Saint Mary Newington*, Plain-Maker, taken on Oath the 11th Day of *May*, 1768, touching the Death of *William Allen* the Younger, who says, That he was Yesterday, about a Quarter before Twelve o'Clock, with the Deceased upon the *Bank* by the Drapers Almshouses, and the Deceased seeing the Souldiers run, he ran after them; the Deceased ran into the Cowhouse, at the Door in
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Horse-monger-Lane, and he, this Deponent, close behind him; and as soon as they both had entered the Cowhouse, a Grenadier met them, and said to the Deceased, *Damn your Eyes, I'll shoot you*, and directly fired; which frightened the Deponent so, that he fell down, afterwards he got up, and saw the Deceased reel across the Lane to the Door of *Richard Miles*, and fell down in the Passage.

JOHN OKINS.

NUMBER II.

Containing the *Affidavits* before the *Justices*, who refused to grant a Warrant upon the Verdict given at the *Coroner's Inquest*, till they were over and above convinced by this additional Evidence.

The several Informations of Joseph Skidmore, of Blackhorse-Yard in Nightingale-Lane, in the Parish of Saint John Wapping, in the County of Middlesex, Nail-Maker, and Ann Walters, the Wife of Joseph Walters, of Newington-Causeway, in the Parish of Saint Mary Newington-Butts, in the County of Surry, Nail-Maker.

SURRY. First, the said Informant, *Joseph Skidmore*, for himself saith, That on *Tuesday* last, being the Tenth Day of *May* Instant, about Twelve of the Clock at Noon of the same Day, this Informant was present in *Saint George's Fields*, in the Parish of *Saint George the Martyr*, in *Southwark*, in the County of *Surry* aforesaid, when he saw several Souldiers drawn up under the Wall of the *King's Bench Prison*, there commanded by an Officer, whose Name this Informant is informed, and believes to be true, is *Alexander Murray*, Esquire, at which Time there were several

Persons gathered together near the said Souldiers; and upon some Disputes between the said Souldiers and People, some of whom had thrown Stones or Dirt, or something else, at the said Souldiers, three of the said Souldiers, with the said *Alexander Murray*, who headed them with a naked Sword in his Hand, came from the said Prison Walls, and pursued some Person or Persons, and crossed the publick Road in *Saint George's Fields* aforesaid, leading from *Westminster-Bridge* through the Hay-Market there, and as they were so crossing the said Hay-Market, the said *Alexander Murray* commanded the said Souldiers to fire at the Person or Persons that they were so pursuing; and then the said *Alexander Murray* and the said Souldiers crossed another publick Road, leading from *Newington* to *Blackman-Street*, near *Saint George's Fields* aforesaid, and all of them entered into the Cowhouse belonging to *Edward Henshaw*, in the said Parish of *Saint Mary Newington-Butts*, and upon seeing *William Allen* the Younger, deceased, standing within the Door of the said Cowhouse, one of the said Souldiers said to another of them, whose Name this Informant is informed, and believes, is *Donald Maclane*, there is one of them, *Damn him, shoot him*; upon which the said *Donald Maclane*, in the Presence of this Informant, immediately shot off, and fired, wilfully and designedly, a loaded Gun, which he then had and held in his Hands, at the said *William Allen* the Younger, deceased, which wounded him in his Body, of which Wound the said *William Allen* the Younger immediately died. And this Informant saith, that the said *Alexander Murray* was then and there aiding and assisting in the said Murder of the said *William Allen* the Younger. And the said Informant, *Ann Walters*, for herself saith, That she, this Informant, on *Tuesday* last, about Twelve of the Clock at Noon, was in the Hay-Market aforesaid, when she saw the said *Alexander Murray* with a naked Sword in his

his Hand at the Head of several Souldiers, go through the said Hay-Market, in pursuit of some Person as she apprehended, when she heard the said *Alexander Murray* say to his said Souldiers, “ *Damn him, shoot him, kill him ;*” but what Person he meant, this Informant cannot tell ; and immediately thereupon the said Souldiers crossed the said Road leading from *Newington-Butts* to *Blackman-Street* afore said, towards the said Cowhouse of the said *Edward Henshaw*, and immediately afterwards this Informant heard a Gun fir’d, and soon afterwards she saw the said *William Allen* the Younger was dead, who she was informed was killed by one of the said Souldiers, which this Informant believes to be true.

JOSEPH SKIDMORE.

The Mark of

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ANN WALTERS.

N U M B E R III.

The CONCLUSION naturally arising from the EVIDENCE.

It is a Circumstance very remarkable, and the Reader is desired to take Notice of it, that two of these Witnesses, L. Newold, and J. Bleft, nay, a third, Hudson, swear, that the Riot-Act had not been read in the Fields when Mr. Allen was murdered in the Cowhouse. There was not therefore, at that Time, any Pretext, much less Authority, from the LAWS to commit such an Act of VIOLENCE. The Power therefore which committed this Act, must be a Power assumed at Will, independent of the LAWS ; but a Power assumed at Will, or ad Arbitrium, independent of the LAWS, is an arbitrary Power ; and if it be supported and executed by military Force, it is also a military Power. Therefore it is very evident from

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hence, that Mr. ALLEN was murdered by an arbitrary military Power, as it is expressed in the Title-Page of this SERMON.

Such a cruel, and bloody Proceeding, ought to be thoroughly canvassed, and that soon; otherwise, it may remain a dreadful Precedent, threatening every Hour, and in every Place, the Lives, and Safety of the SUBJECTS of these Kingdoms; especially if a Criminal charged upon Oath, as an Accomplice in the Murder, (which was the Case of Mac-Laughlan, one of the Souldiers) may be privately discharged without a Trial.

THE END.

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